

Patent Docket P1096R1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of T. Shantha Raju Serial No.: 09/102,865 Filed: 23 June 1998 For: METHODS AND COMPOSITIONS FOR GALACTOSYLATED GLYCOPROTEINS	Group Art Unit: 1635/644 11-29-99 Examiner: R. Schwadron  <b>CERTIFICATE OF TRANSMISSION</b> I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (703)305-3704 on November 22, 1999. Janet Tse
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RESPONSE TO REQUIREMENT FOR RESTRICTION UNDER 37 C.F.R. §1.142

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

In response to the outstanding Restriction Requirement dated July 20, 1999 issued in connection with the captioned application, please consider the following remarks. Applicants submit herewith a Petition for Extension of Time for three months, up to and including November 20, 1999 accompanied by the appropriate fee authorization.

REMARKS

The Office has required restriction under 35 U.S.C. § 121 to one of the following inventions:

Group I. Claims 1-9, 25-29 drawn to antibody compositions, classified in Class 424, subclass 130.1.

Group II. Claims 10-21 drawn to a method of making an antibody, classified in Class 530, subclass 402.

Group III. Claims 22-24 drawn to a method of treatment, classified in Class 424, subclass 810.

The Office has alleged that the product of group I can be used in a process materially different from the process of group III; and that the product of group I can be made by a process

materially different from the process of group II. (Restriction Requirement, page 2). The Office alleges the inventions in these groups are distinct either in use or process and are therefore patentably distinct. (Restriction Requirement, page 2).

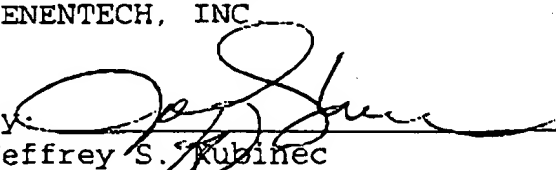
In response to the requirement for restriction, Applicants elect to prosecute, without traverse, the invention of Group I, claims 1-9 and 25-29. Please cancel claims 10-21 and 22-24 from this application without prejudice.

#### CONCLUSION

Applicants respectfully request that the foregoing amendments be considered and entered in the file history of the above-identified application. It is submitted that the claims are now in condition for allowance. It is therefore earnestly solicited that such a final favorable disposition is made. The Examiner is invited to telephone Jeffrey S. Kubinec, (Reg. No. 36,575) at (650) 225-8228 if deemed helpful to clarify and advance prosecution.

Respectfully submitted,  
GENENTECH, INC

Date: November 22, 1999

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